



AKRON REGIONAL AIR QUALITY MANAGEMENT DISTRICT

Agent of the Ohio Environmental Protection Agency * Program of Summit County Public Health * Serving Medina, Portage and Summit Counties

Telephone: (330) 375-2480 * Fax: (330) 752-7792
araqmd@schd.org

Sam Rubens, MPA, R.S.
Administrator

March 6, 2017

Certified Mail

Scott Warnicke
American Metal Chemical Corporation
835 West Smith Road
Medina, OH 44256

Re: **AMCOR**
Notice of Violation (NOV)
Air Permit
Medina County
Facility ID 1652050125

Division of Air Pollution Control

Subject: 2nd Notice of Violation

Dear Scott Warnicke:

This letter serves as a second Notice of Violation (NOV) issued to AMCOR in Ohio EPA enforcement case ID #11632, which was initiated by the Akron Regional Air Quality Management District (ARAQMD) on January 10, 2017, for failure to submit requested information on air contaminant emission sources at the facility. To date, none of the requested information has been received by this office. The enforcement case will remain open until all compliance issues have been resolved. Listed below are "Finding(s)" followed by "Violation(s)" (if applicable) and "Requested Action(s)" necessary to address the stated findings and violations.

Findings

1. On December 29, 2015 a site visit was conducted by ARAQMD to evaluate AMCOR's current air permit status. On December 30, 2015, an information request for multiple AMCOR emission sources was emailed by ARAQMD to Scott Warnicke at scott@amcor-usa.com. On February 18, 2016, the emailed information request was repeated by ARAQMD. On September 2, 2016, the information request was sent to the facility address identified above via certified mail. On January 10, 2017, the requested information was included in the NOV letter, which was also sent to the facility via certified mail. No response from AMCOR has been received by ARAQMD after four requests.
 - a) Violation: Each failure to provide information on air contaminant emissions as requested by this agency is considered a violation of Ohio Administrative Code (OAC) 3745-15-03(A) which states: *"The director may require the keeping and periodic submission of records and reports, including but not limited to, information on air contaminants, emissions or fuel from any or all potential sources for purposes of maintaining an air pollution emission inventory or any other reasonable purpose as determined by the director. Such information shall be recorded, compiled, and submitted in a manner and form prescribed by the director."*

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- b) Requested Action: AMCOR must submit the following information to ARAQMD within 30 days of receipt of this letter:
- i. Company IDs, manufacturers, model numbers, maximum heat input capacities (million Btu/hr) and installation dates for the gas-powered dryer and two ovens.
 - ii. A permit-to-install and operate (PTIO) application, or potential to emit calculations documenting PTIO exempt status, for emissions units F001 (Salt, Potash Elevator/Conveyor), P001 (Jaw Crusher), P002 (Burton Mixer) and P003 (A-103 Machine Salt & Potash Blender).

Conclusion

ARAQMD requests that AMCOR promptly undertake the necessary measures to return to compliance with Ohio's environmental laws and regulations. Within 30 days of receipt of this letter, please provide the requested information in writing to ARAQMD. If you have already resolved the violation listed above, thank you, and please provide documentation supporting compliance.

Failure to comply with Chapter 3704. of the Ohio Revised Code and rules promulgated thereunder may result in an administrative or civil penalty. The facility's noncompliant status has been documented in U.S. EPA's Enforcement & Compliance History Online (ECHO) website: <https://echo.epa.gov>. If circumstances delay resolution of violations, AMCOR is requested to submit to ARAQMD written correspondence describing the steps that will be taken by date certain to attain compliance.

Please note that the submission of any requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek administrative or civil penalties as provided in Section 3704.06 of the Ohio Revised Code.

Thank you for your time and cooperation. If you have any questions, please contact me by phone at 330-812-3954 or by e-mail at kkanoza@schd.org.

Sincerely,



Sam Rubens,
Administrator, ARAQMD

Cc: John Paulian and James Kavalec, DAPC/CO
Kelly Kanoza, Lee Ann Hinkle and Duane LaClair, ARAQMD
Brian Dickens, US EPA Region V